

REMARKS

Claims 1, 21, 29 and 38 are amended. Claims 9, 10, 19, 25, 26, 28, 32, 33, 36, 40, 41 and 44 are canceled. Thus, claims 1-8, 11-18, 20-24, 27, 29-31, 34-35, 37-39, 42-43 and 45 are pending.

In a final Office Action dated February 20, 2007, claims 1-4, 6-10, 12-26, 28-33, 35-41 and 43-45 were rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent Application Publication No. 2001/0037255 (Tambay). Further, claims 5, 11, 27, 34 and 42 were also rejected under 35 U.S.C. 103(a) as being unpatentable over Tambay in view of United States Patent No. 6,959,284 (Howes).

Applicants thank Examiner Jason Dunham for the telephone interview that was conducted on April 18, 2007. During the interview, a brief overview of the invention and reasons for differentiating the claimed invention from Tambay was provided by Applicants attorneys. Examiner Dunham indicated that Figure 2 of Tambay anticipated the limitations of claim 1, specifically adjusting product data, and suggested better defining how and what product data is adjusted. Applicants submit that claims 1-4, 6-10, 12-26, 28-33, 35-41 and 43-45 are amended accordingly. Independent claims 1, 21, 29 and 38 are amended to recite that the adjustable product data comprises one or more of a component mixing ratio, a RTS price and coating component data comprising one or more of a code, a description, a price and a package. Support for these amendments is found in original claims 9, 10, 19, 25, 26, 28, 32, 33, 36, 40, 41 and 44. Further, independent claims 1, 21, 29 and 38 are amended to recite that the product data is retrieved from the database and illustrated in the output interface. Support for these amendments can be found in paragraphs [0061] and [0062] of the specification. Applicants reasoning for differentiating the amended claims from the prior art of record is set forth below.

I. The Rejections Under 35 U.S.C. 102(b)

Independent claims 1, 21, 29 and 38 of the claimed invention are amended to recite that the output interface outputs and illustrates at least some of the selected product data retrieved from the database; that the user may adjust at least some of the product data retrieved from the database; and the adjustable product data comprises one or more of a component mixing ratio, a RTS price and coating component data comprising one or more of a code, a description, a price and a package size. Applicants submit that the Tambay reference does not disclose the claimed invention of claims 1, 21, 29 and 38.

Figure 2 of Tambay is directed to a formulation calculator which allows the user to select the type of product to formulate (e.g., polyester resin) and to select the necessary ingredients. Upon completion of the ingredients selection, the formulation calculator will display to the user a formulation combining the selected ingredients. (See [0119]) The Examiner has indicated that the selection of ingredients by the user in Tambay is analogous to the user adjusting product data in claim 1 of the claimed invention. Applicants submit that in Tambay the user merely selects ingredients as input data. The output is a formulation containing the selected ingredients. There is no disclosure or suggestion in Tambay that the output formulation can be adjusted by the user.

In the claimed invention, the user selects one or more product(s) as input data. A program retrieves from a database product data related to the products selected by the user and illustrates the data in an output interface. The user may adjust at least some of the output product data to generate additional product data.

Thus, in Tambay the user has no ability to modify product data retrieved from the database and illustrated in an output interface as recited in the claimed invention. Moreover, in Tambay there is no disclosure or suggestion of generating any product

data relating to the formulation product. In the claimed invention, the adjustable data includes one or more of a component mixing ratio, a RTS price and coating component data comprising one or more of a code, a description, a price and a package size. For these reasons, Applicants submit that the claimed invention is clearly distinguishable from the invention of Tambay.

Figure 4 of Tambay discloses an eCatalog hub for chemical additives and specialty products wherein a user may click on any section of the hub to identify a subset of products and services. Once the subset is selected, the user is then presented with an HTML page that allows the user to further refine the search. (See [0128]) The Examiner indicates that further refining of the search by the user is analogous to the user adjusting product data to generate additional product data in the claimed invention. Applicants submit that in Tambay the user selects input data for use in defining and refining a search of a database. After selection is completed, information relating to the selected search criteria is retrieved from a database and the search results are displayed to the user. There is no disclosure or suggestion in Tambay that the search results displayed can be adjusted.

As discussed previously, in the claimed invention the user selects one or more products as input; a program then retrieves from a database product data related to the products selected by the user and illustrates the data in an output interface. The user may adjust component mixing ratio, RTS price and coating component data comprising one or more of a code, a description, a price and a package size. In Tambay, the user has no ability to modify search results retrieved from the database and illustrated in an output interface as recited in the claimed invention. Moreover, in Tambay there is no disclosure or suggestion of generating any product data relating to the product data that can be adjusted in the claimed invention. For these reasons, Applicants submit that the claimed invention is clearly distinguishable from the invention of Tambay.

II. The Rejections Under 35 U.S.C. 103(a)

Howes does nothing to overcome the foregoing deficiencies of Tambay. Applicants submit that as a result, a prima facie case of obviousness has not and cannot be established with respect to any of the pending claims in view of the cited art. Applicants, therefore, respectfully request withdrawal of the pending rejection under 35 U.S.C. 103(a).

III. Conclusion

Based on the reasoning presented in I and II, Applicants submit that claims 1-8, 11-18, 20-24, 27, 29-31, 34-35, 37-39, 42-43 and 45 are in condition for allowance and thus, respectfully request a Notice of Allowance for these claims.

Respectfully submitted,



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